

## **REMARKS**

### **Summary**

In the Office Action dated October 19, 2004, Claims 1-16 and 34-37 were rejected under 35 U.S.C. §102(e) and Claims 17-33 were allowed.

The Applicants have amended claims 4, 17, 23, 24 and, 31 to correct previously undetected informalities. The amendments are not entered to overcome the prior art.

Claims 34-37 have been canceled.

Accordingly, Claims 1-33 remain currently pending. No new matter has been entered.

### **Rejections Under 35 U.S.C. §102(e)**

Claims 1-16 and 34-39 are rejected under 35 U.S.C. §102(e) as being anticipated by US Patent No. 6,332,168 issued to House et al. ("House"). Claims 34-39 have been canceled and therefore those rejections have been rendered moot. The Applicants respectfully traverse the remaining rejected claims.

#### **Claim 1**

The required "inquiring by the dispatcher of the latest version of the runtime library to learn of the required version of the runtime library" (when the version is not known to the dispatcher) operation requires the consultation of a runtime library as to what version of the runtime library an application needs. House fails to perform this required operation. Instead, House teaches that the RTSS links the application program to an appropriate Run Time Library version as specified in the APDB – and to a default version if there is no specification in the APDB. See at least col. 4, lines 35-40

and Figure 3. Figures 5 through 7 teach of the RTSS 310 consulting the APDP 335 at the start of the system to obtain the description of the known runtime libraries, including LPA statements and CSA statements. The predominate balance of Figure 5 and most of Figure 6 merely describe loading the LPA language modules, building of Library Vectors and Library Vector Pointers. Figure 6 through Figure 7 show that when an application starts, the application asks the RTSS where the appropriate runtime libraries are. In response, the RTSS provides the application the location of the appropriate runtime library (if known). Figure 8 shows, among other things, that if the runtime library is not known by the system, the RTSS will indicate that the application should use the default library. Neither Figure 9 or 10 contain any descriptive information explaining what the process should do if the runtime library version is unknown. Nowhere in House, including Figures 5-10, is there a discussion or teaching of an operation "inquiring by the dispatcher of the latest version of the runtime library to learn of the required version of the runtime library."

Therefore, for at least the reasons set forth above, Applicants submit that House does not anticipate Claim 1 under § 102(e). As such, Applicants submit that Claim 1 is in proper form for allowance and request that the rejection be removed.

As with Claim 1, Claims 7, 9, and 16 are similarly rejected under § 102(e) as anticipated by House. Applicants submit that Claims 7, 9, and 16 contain limitations similar to Claim 1. Thus, for at least the reasons set forth above with respect to Claim 1, Applicants believe that Claims 7, 9, and 16 are likewise in proper form for allowance.

Claims 2-6, 8, and 10-15 depend on Claims 1, 7, and 9, respectively. Due at least in part on their dependency, Applicants submit that claims 2-6, 8, and 10-15 are likewise in proper form for allowance.


### CONCLUSION

In light of the above remarks, this application is in condition for allowance. Claims 1-33 remain currently pending. Early issuance of Notice of Allowance is respectfully requested.

The Commissioner is hereby authorized to charge shortages or credit overpayments to Deposit Account No. 500393. A Fee Transmittal is enclosed in duplicate for fee processing purposes.

Respectfully submitted,  
SCHWABE, WILLIAMSON & WYATT, P.C.

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